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Paper No. 8

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APR 28 2003

In re Application of	:	OFFICE OF PETITIONS
Daniel B. Kainen	:	
Application No. 10/002,018	:	ON PETITION
Filed: November 15, 2001	:	
Attorney Docket No. 1463/63325	:	

This is a decision on the petition under 37 CFR 1.137(b), filed March 24, 2003, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the Notice To File Corrected Application Papers mailed December 26, 2001. The Notice set a period for reply of two (2) months from the mail date of the Notice. A two-month extension of time under the provisions of 37 CFR 1.136(a) was obtained. A reply was received on May 6, 2002 but the reply was informal since it did not comply with the regulations in compliance with 37 CFR 1.84(g). Accordingly, the above-identified application became abandoned at midnight on April 26, 2001.

37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. If the statement contained in the instant petition varies from the language required by 37 CFR 1.137(b)(3), it will be interpreted as the required statement. Petitioner must notify the Office if this is **not** a correct interpretation of the statement contained in the instant petition.

In view of the submission of the petition fee in the large entity amount of \$1300, status as a small entity has been removed.

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 306-5594.

The application file is being forwarded to the Office of Initial Patent Examination for further processing.

Retta Williams

Retta Williams
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy